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ARLINGTON VA 22203

In re Application of :  
Michael F. Greene et al :  
Serial No.: 10/585,329 : PETITION TO MAKE SPECIAL  
Filed: June 29, 2006 :  
Attorney Docket No.: 20040138 :

This is a decision on the petition filed on January 31, 2007 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DENIED**.

REGULATION AND PRACTICE

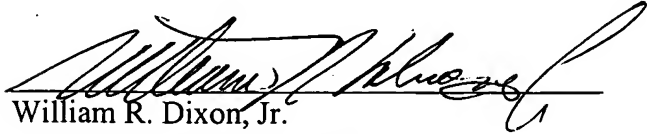
To be eligible for accelerated examination under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), the following conditions must be satisfied:

1. The application must be a **newly** filed non-reissue utility or design application filed under 37 CFR 1.111(a);
2. The application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours;
3. The application, at the time of filing, must be complete under 37 CFR 1.51 and in condition for examination;
4. The application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

The application as filed is not eligible for the accelerated examination under 37 C.F.R. § 1.102(d) because it was a new application and was not filed under 35 U.S.C. 111, has more than 20 claims, the petition was not filed with the application, and has no proper application support document or pre-examination search, as required. The application is a National Stage entry under 35 U.S.C. 371 and not eligible for accelerated examination.

For the above-stated reasons, the petition is denied. The application will therefore be taken up by the examiner for action in its regular turn, when complete.

Any inquiry regarding this decision should be directed to William R. Dixon, Jr., Special Program Examiner, at (571) 272-0519.

A handwritten signature in black ink, appearing to read 'William R. Dixon, Jr.', written over a horizontal line.

William R. Dixon, Jr.  
Special Program Examiner  
Technology Center 5000